

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ("USPTO")**

**First Named Inventor:** Tomonori HIROSE

**Confirmation No.:** 3933

**Serial No.:** 10/771,697

**Examiner:** MARANDI, James R

**Filed:** Feb 4, 2004

**Group Art Unit:** 2623

**Title:** Video selection server, video delivery system, and video selection method

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached Form PTO-SB08. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required. (NOTE – A Request for Continued Examination was filed on December 22, 2008.)
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office

**PATENT**

Fujitsu Ref. No.: 02-51211  
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Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☐ c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. **50-4610** as needed to ensure consideration of the disclosed information.
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. **50-4610** as needed to ensure consideration of the disclosed information.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☒ 4. Other:
- ☒ A. Copy/Copies of U.S. Patent reference(s) (if any) is/are not enclosed.

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- ☒ B. The references were cited in a Japanese Office Action made of record as of September 16, 2008, in corresponding Japanese Application No. 2003-080180. A partial English language translation of the Japanese Office Action is attached for the Examiner's information.
- ☒ C. English-language Abstracts for JP 2002-314972 and JP 2001-204001 are attached hereto.
- ☒ D. JP 2002-314972 corresponds to US 2002/0147980

**Conclusion**

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below.

Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610, referencing Atty. Docket No. 02-51211.

Respectfully submitted,

Dated: January 7, 2009

By /Scott A. Elchert/

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